REMARKS

Applicant expresses his gratitude for the Examiner's swift and thorough examination of the application.

CLAIM OBJECTIONS

Claims 2 and 8 have been corrected per the Examiner's comments.

CLAIM REJECTIONS UNDER 35 USC 102

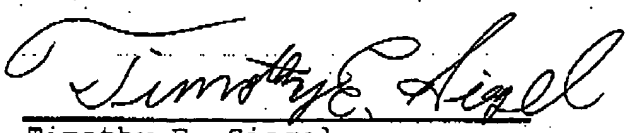
Claims 1, 6 and 7 stand rejected under 35 USC 102 for lack of novelty of Azar et al. ("the Azar patent"). Applicant respectfully submits, however, that the Azar patent does not disclose a method that includes the removal a "predetermined thickness of said wet concrete in a predetermined portion of said predetermined area ***." Rather, in the Azar patent method, mud of an unknown and varying thickness is removed to leave a smooth surface. The thickness removed is related to the previous trowel strokes of the mud layer, and no doubt vary considerably from case to case. In the present invention, the thickness is predetermined and must, in fact, match the thickness of a paving tile. Although matching the thickness of a paving tile is not recited in claim 1, applicant mentions it here to highlight the difference between removing a predetermined thickness so that, for example, a paving tile may be installed at the correct depth, and removing a random thickness, merely to achieve a smooth mud surface.

Claims 2 through 9 are patentably distinct from the prior art at least for the reason that their base claim is patentably distinct. With respect to claim 3, however, applicant further respectfully submits that although

prestressed concrete has been available for many years, it has not previously been used as a paving tile. Many of the characteristics of prestressed concrete, for example its lightweight strength, suggest use in vertical applications, such as buildings. The benefits accrued from its use as a paving tile would not be obvious to skilled persons, because such skilled persons would presume that it was unnecessary to use such a high strength material in an apparently mundane application. It is part of the genius of the present invention that the inventor understood that by using prestressed or reinforced concrete as a paving tile he could reduce the weight of finished paving tiles taken into the field, thereby greatly easing the task of handling these elements. He also understood that prestressed paving tiles did not have as much of a risk of breakage in transport. This creative use of an existing material required great insight into the tasks performed and challenges faced by sidewalk feature installation personnel.

With respect to the new claims 10 through 20, nothing in the prior art suggests the creation of an indentation for receiving a paving tile or tiles, as recited in claims 10 and 11, or the use of a tool, as recited in claims 12 through 16. Claims 17 and 18 clarify that in one embodiment the present method is for installing tiles in a sidewalk setting. Claim 19 further distinguishes over the Azar patent, where it is taught that tiles are placed partially over the mud that has been scraped flat (FIG. 2 of the Azar patent). Finally, claim 20 recites the use a paving tile formed of reinforced concrete, which is disclosed in the present application, because pre-stressed concrete is a type of reinforced concrete.

Respectfully submitted,



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